

### **REMARKS**

The examiner rejected claim 1-3, 6-7, 9, 12 and 15 under 35. U.S.C. § 103(a) as being unpatentable over European Patent Application EP 1,271,469 to Marasek et al., in view of U. S. Patent No. 5,796,916 to Meredith (Meredith), in view of U.S. 6,081,780 to Lumelsky (Lumelsky), in view of International Publication No. WO 02/097590 to Cameron (Cameron). But we believe that the combination of Marasek's system with the teachings of Meredith, Lumelsky, and Cameron, does not produce the invention of claim 1

The examiner admits that Marasek does not specifically teach the alignment of the spoken utterance and the synthesized word. For this missing features the examiner relies on Meredith. It is indeed true that Meredith does disclose alignment of a phonetic transcription to pitch contour. But we note two important distinctions.

First, Meredith does not align a synthesized word with a spoken utterance, as recited in claim 1. Rather, Meredith aligns a phonetic transcription with the pitch measurements in the spoken utterance.

Second, for Meredith to perform the alignment process, his system receives two inputs, namely, a text input and the user's spoken version of that text input. He requires both of these inputs in order to align the phonetic transcription (that is derived from the text input) with the pitch contour that is derived from the user's spoken version. But Marasek's system only receives a speech input and from that speech input he derives, among other things, corresponding prosodic features. Marasek's system does not receive the text corresponding to the speech input. Indeed, Marasek does not even generate a phonetic representation of the received speech input. But without a text representation of what was spoken (or something comparable), Meredith's technique cannot be applied to Marasek's system. At least, it cannot be applied to the received speech input S1.

On a more fundamental level, none of the cited references, either alone or in combination, discloses or even hints at performing the sequence of steps recited in claim 1, all in response to

receiving a spoken utterance. More specifically, none of the references teaches or suggest the following sequence of events:

- receiving a spoken utterance including at least one of a command to be executed by the handheld device and a name to be dialed by the handheld device;
- in response to receiving the spoken utterance:
  - extracting one or more prosodic parameters from the spoken utterance;
  - performing speech recognition on the spoken utterance to generate a recognized word;
  - from the recognized word that is generated from the speech recognition, synthesizing a nominal word;
  - generating a prosodic mimic word from the synthesized nominal word and the extracted one or more prosodic parameters...; and
  - if the recognized word includes a command, executing the command on the handheld device, and if the recognized word includes a name, dialing a number associated with the name. [emphasis added]

The steps of the sequence include extracting prosodic parameters from and performing speech recognition upon that received utterance. Those steps are then followed by synthesizing a nominal word from the recognized word and generating a prosodic mimic word from the synthesized nominal word and the prosodic parameters that were extracted from that received utterance. Finally, there is an executing/dialing step that performs a function relating to that received utterance. None of the prior art either alone or in combination teaches or suggests that sequence.

The examiner also admits that Marasek in view of Meredith in view of Lumelsky “do not specifically disclose the system implemented on a handheld device and at least one of a command to be executed by the handheld device and a name to be dialed by a handheld device and if the recognized word includes the command, executing the command on the handheld device, and if the recognized word includes the name, dialing a number corresponding to the name.” For these missing elements, the examiner relies on Cameron.

Indeed, it is true that Cameron does disclose a mobile device with a voice dial feature. However, Marasek’s system has no use for such a voice dial feature. Marasek’s system is for generating synthesized speech with personality patterns. He does not disclose a command interface. A person skilled in the art would not be motivated to combine that feature with Marasek’s system.

Indeed, it is true that for the combination of particular references that were used to reject the present claims, it is only with the benefit of hindsight based on knowledge of the claimed invention that a person skilled in the art would know how to selectively choose certain features from that prior art while ignoring others and from those selected features construct the claimed invention. For that reason, we submit that the rejection based on the prior art is improper.

We note that independent claim 9 also contains limitations that are similar to those discussed above in connection with claim 1.

For at least the reasons stated above, we believe that the claims are in condition for allowance and therefore ask the Examiner to allow them to issue.

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Respectfully submitted,

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